

# NOTICE OF PROPOSED RULE AMENDMENT

- The agency identified below in box 1 provides notice of proposed rule change pursuant to Utah Code Section 63G-3-301 and Subsection 53C-1-201(3)(c).
- Please address questions regarding information on this notice to the agency.
- The full text of all rule filings is published in the Utah State Bulletin unless excluded because of space constraints.
- The full text of all rule filings may also be inspected at the Division of Administrative Rules.

## Agency Information

- Agency: Insurance - Administration  
Room no.: 3110  
Building: STATE OFFICE BLDG  
Street address 1: 450 N MAIN ST  
Street address 2:  
City, state, zip: SALT LAKE CITY UT 84114-1201  
Mailing address 1: PO BOX 146901  
Mailing address 2:  
City, state, zip: SALT LAKE CITY UT 84114-6901

## Contact person(s):

Name: Phone: Fax: E-mail:

Jilene Whitby	801-538-3803	801-538-3829	jwhitby@utah.gov
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(Interested persons may inspect this filing at the above address or at DAR during business hours)

## Rule Information

DAR file no: 34727 Date filed: 04/28/2011 10:04 AM  
State Admin Rule Filing Key: 150972  
Utah Admin. Code ref. (R no.): R 590 - 259 -  
Changed to Admin. Code ref. (R no.): - -

## Title

- Title of rule or section (catchline):  
Dependent Coverage to Age 26.

## Notice Type

- Type of notice: Amendment

## Rule Purpose

- Purpose of the rule or reason for the change:  
Suggested changes for this rule have come from a member of the health insurance industry as well as the Insurance Department. The changes are for clarification purposes and to correct grammar and add a new code citation to the Authority Section.

## Response Information

- This change is a response to comments by the Administrative Rules Review Committee.  
No

## Rule Summary

- Summary of the rule or change:

A new code reference has been added to Section 1, Authority. The code citation was changed during the 2011 Legislative Session in HB128, Health Reform Amendments. The new wording requires insurers to comply with specific requirements of the federal Patient Protection and Affordable Care Act and the Health Care Education Reconciliation Act of 2010. These requirements specifically relate to the requirements already in this rule. Section 8 (1)(a) makes a grammatical correction and clarifies that health insurers shall offer continuous enrollment for individuals applying for a new policy unless Subsection R590-259-9 applies and the individual is under the age of 19. The changes to Subsection 9 (1) are just for clarification purposes only. Words and phrases have been moved around to bring greater clarity to the topic but the meaning remains the same.

#### Aggregate Cost Information

##### 7. Aggregate anticipated cost or savings to:

###### A) State budget:

Affected: No

The changes made to this rule are for clarification purposes only and will create no change to the budget or work of the department or the state.

###### B) Local government:

Affected: No

The changes to this rule will have no fiscal impact on local governments since it deals solely with the relationship of the department and its licensees. The changes will not affect an insurers relationship with their insureds.

###### C) Small businesses:

Affected: No

("small business" means a business employing fewer than 50 persons)

The changes to this rule will have no fiscal impact on small or large businesses or consumers since the changes are grammatical and for clarification purposes only.

###### D) Persons other than small businesses, businesses, or local government entities:

Affected: No

("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency)

The changes to this rule will have no fiscal impact on small or large businesses or consumers since the changes are grammatical and for clarification purposes only.

#### Compliance Cost Information

##### 8. Compliance costs for affected persons:

The changes to this rule will have no fiscal impact on small or large businesses or consumers since the changes are grammatical and for clarification purposes only.

#### Department Head Comments

##### 9. A) Comments by the department head on the fiscal impact the rule may have on businesses:

This rule will create no fiscal impact on businesses since the changes are for clarification purposes only.

##### B) Name and title of department head commenting on the fiscal impacts:

Neat T. Gooch, Commissioner

#### Citation Information

##### 10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws.

State code or constitution citations (required) (e.g., Section 63G-3-402; Subsection 63G-3-601(3); Article IV) :

31A-22-605

31A-2-201

## Incorporated Materials

11. This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to DAR; if none, leave blank) :

<p>Official Title of Materials Incorporated (from title page):</p> <p>Publisher:</p> <p>Date Issued:</p> <p>Issue, or version:</p> <p>ISBN Number:</p> <p>ISSN Number:</p> <p>Cost of Incorporated Reference:</p> <p>Adds, updates, removes:</p>
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## Comments

12. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until 5:00 p.m. on (mm/dd/yyyy) :

06/14/2011

B) A public hearing (optional) will be held:

On (mm/dd/yyyy):      At (hh:mm AM/PM):      At (place):

## Proposed Effective Date

13. This rule change may become effective on (mm/dd/yyyy):

06/21/2011

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 12(A) above, the agency must submit a Notice of Effective Date to the Division of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

## Indexing Information

14. Indexing information - keywords (maximum of four, in lower case, except for acronyms (e.g., "GRAMA") or proper nouns (e.g., "Medicaid")):
- health insurance open enrollment

## File Information

15. Attach an RTF document containing the text of this rule change (filename):

There is a document associated with this rule filing.

## To the Agency

Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the Utah State Bulletin, and delaying the first possible effective date.

## Agency Authorization

Agency head or designee, and title:

Jilene Whitby Information  
Specialist

Date (mm/dd/yyyy): 04/28/2011